

TRADEMA  
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Assistant Commissioner of Patents  
Washington, DC 20231

Technology Center 2600

**PROTEST UNDER 37 CFR 1.291(a)**

Re: SYSTEM AND METHOD OF INSERTING  
ADVERTISEMENTS INTO AN INFORMATION  
RETRIEVAL SYSTEM DISPLAY

US File # **20030135853** Filed: 3/8/1999

Sirs:

Recently I found the above referenced patent filing and believe this filing has  
NOT issued in the U.S. The US File # is **20030135853**

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system dependent upon a database maintained at the client level. The inventor refers to a traditional client/server system as an "information retrieval" system. Within this system, he builds a database containing a plurality of advertisements dynamically retained at the client system. The system is described in paragraphs (0012) and (0014).

The abstract reads, "the method comprising the steps of: compiling a profile of the user of the information retrieval system, including at least information associated with the television programming viewed by the user; requesting, by the client system, an information document from the server computer; selecting, based at least in part on the profile and on designated selection criteria, an advertisement from among a plurality of advertisements for insertion into the information document; inserting data representing the selected advertisement into the information document; and displaying the information document, including the selected advertisement, on the display device.

Selecting a channel or show on television which is tantamount to a URL into a browser locator window then makes a match with data maintained at the client system in the remotely controlled and updated database and in the event a match is made by comparing, an appropriate advertisement is displayed. This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database and a targeted ad is displayed.

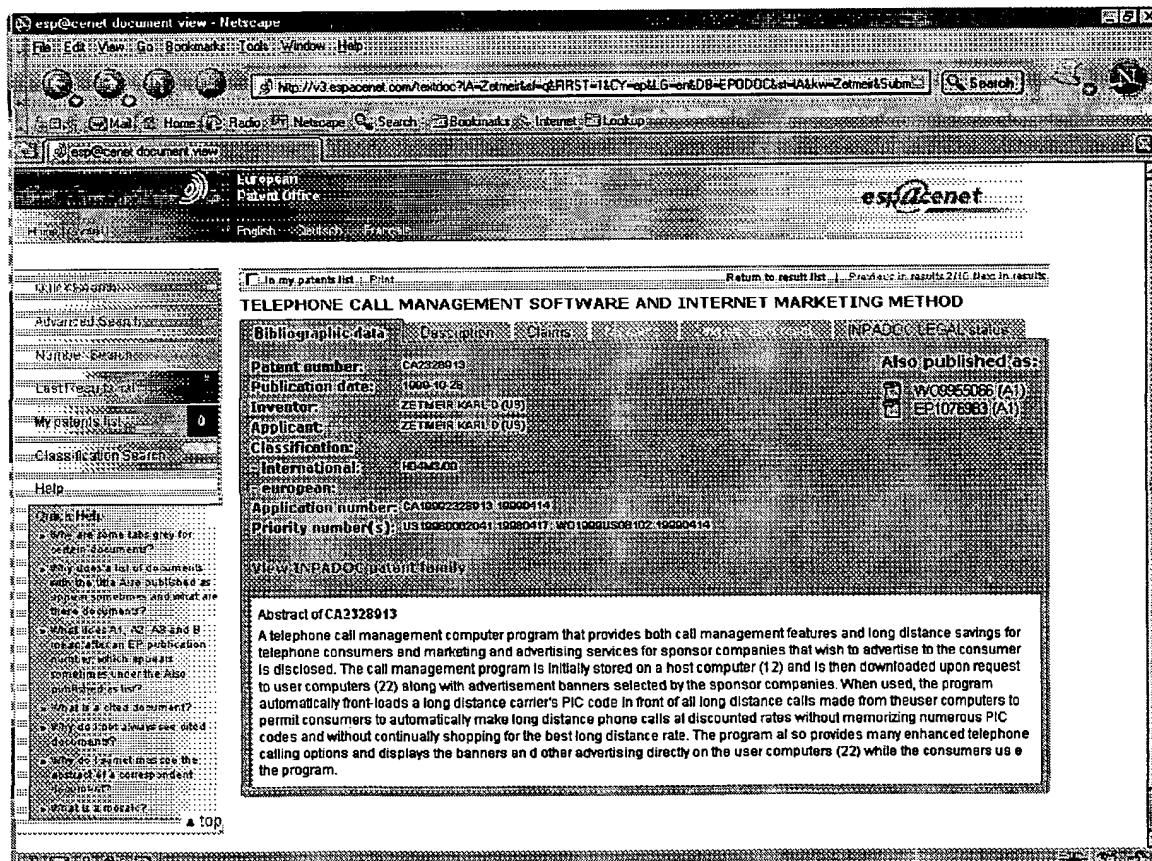
This embodiment is also described in Claims 5,6,9,13,23,24 and others. Basing ad display based upon program selection comparisons is no different than selecting a URL in a browser or Keyword in a search engine. Whether a cable TV network or the internet or both, both are electronic communication networks.

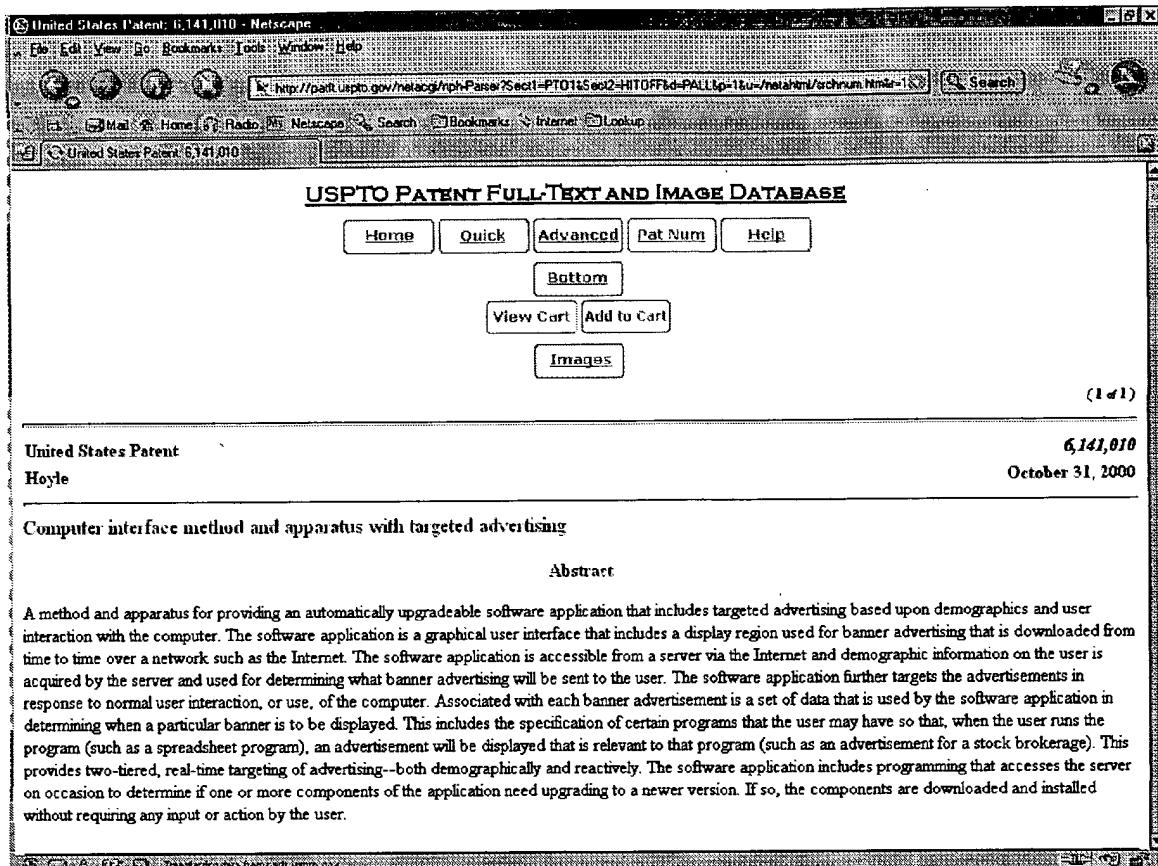
I am objecting to this patent filing, as it is neither novel nor unique. It is of particular note that while prior art strictly based on VoD and TV, no prior art was submitted with this filing correlating to the internet and only some vague references to server profiling systems. The filers are correct that a targeted system based on program selection, URLs or keywords is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

1. US Patent 6,141,010 ... similar technology
2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 3/8/1999 filing.

I believe the Examiner should look very closely at the Claims made and judge accordingly.





Claria - Corporate Overview - Overview - Netscape

File Edit View Go Bookmarks Tools Window Help

http://www.claria.com/corporate/

Mail Home Radio [H] Netscape Search Bookmarks Internet Lookup

Claria Corporate Overview Overview

# CLARIA

## CORPORATE OVERVIEW

**OVERVIEW**

- News Room
- Management Team
- Employment

**ADVERTISE**

**PRODUCTS & SERVICES**

**CONTACT US**

### Overview

**Claria Corporation Overview**

Claria Corporation is the leader in online behavioral marketing, serving over 38 million consumers and more than 900 Advertisers – including over 80 Fortune 1000 companies. Claria publishes advertising messages for top tier companies and agencies to consumers who are part of the GAIN Network, Claria's network of over 38 million consumers who agree to receive advertising based on their actual online behavior.

Unlike traditional demographic targeting, Claria's behavioral marketing model combines powerful insights into consumer behavior and the ability to deliver contextually targeted messages. The relevancy of the messages drives click-through and conversion rates up to 40 times higher than traditional banner ads – boosting campaign results to unprecedented levels. The difference is Claria's deep insights into consumer online behavior. Claria allows advertisers to target consumers based on their individual needs and interests resulting in industry leading ROI, not mass demographically targeted Web site populations.

In addition to its advertising network, Claria provides marketing research and business insights through its Feedback Research division. Feedback Research delivers in-depth analytics of consumer Web usage patterns across the entire Internet that cannot be attained via any other research provider. It also provides full service custom marketing research to Fortune 1000 clients. With exclusive access to the GAIN Network's 38 million consumers, Feedback Research surveys hard to reach consumers, based on their individual online behavior, quickly and cost-effectively.

**History**

Claria was founded in 1998 as The Gator Corporation to deliver the promise of one-to-one marketing on the Internet. The guiding vision was to develop a massive consumer audience by offering valuable web/software content for free in exchange for the right to show highly targeted advertising based on consumers' anonymous surfing behavior. Launched in June 1999, the Gator eWallet was the company's first free ad-supported software product, and it quickly grew to become the most popular product in its category.

By November 1999, Claria had revolutionized the online advertising industry by introducing its contextual and behavioral relevant online advertising model. This new advertising method resulted in unparalleled ROI for advertisers.

Claria headquarters are located in Redwood City, California, with U.S. offices in Los Angeles, Chicago, New York, Detroit, Austin, and International offices in the U.K. and Asia. Claria is backed by top-tier venture capitalists such as Greylock, Technology Crossover Ventures, U.S. Venture Partners, Legendis, AB and Crosslink Capital.